

REMARKS

This Amendment is fully responsive to the final Office Action dated April 3, 2008, issued in connection with the above-identified application. Claims 6-11, 40 and 44-47 are presently pending in the present application. With this Amendment, claims 6-11, 40 and 44-47 have been amended. No new matter has been introduced by the amendments made to the claims. Thus, favorable reconsideration is respectfully requested.

In the Office Action, claims 6-11, 40, 46 and 47 have been rejected 35 U.S.C. 101 as being directed to non-statutory subject matter. Specifically, the Examiner notes that claims 6, 9, 10 and 40 are apparatus claims and independent claims 46 and 47 are program claims. Additionally, the Examiner alleges that these claims do not include hardware and thus describe merely a computer program *per se*, which is non-statutory.

With regard to independent claim 6 and 10, the Applicants note that the claims are directed to a receiving apparatus (e.g., STB 2 in Fig. 2) that recites the use of several units (e.g., communication unit, print style update judgment unit, print data output unit, etc.) Accordingly, composition of each unit is clearly illustrated in Fig. 2. Additionally, as described in the Applicants' disclosure, each unit is "realized in the form of a central processing unit (CPU) or the like" (see e.g., pg. 19 of Applicants' substitute specification).

A CPU, or sometimes referred to as a processor, is generally known as a class of logic machine that executes computer programs. Thus, each unit recited in claims 6 and 10 is, in fact, a structural element. Accordingly, claims 6-11 are clearly directed to statutory subject matter. Withdrawal of the above rejection to claims 6-11 is respectfully requested.

With regard to independent claims 40, the claim is directed to a presentation apparatus (see e.g., printer 3 in Fig. 2). Additionally, as described in the Applicants' disclosure, the presentation apparatus can be a receiving apparatus or a printing apparatus, and the composition of each of those devices is clearly illustrated in Fig. 2. Therefore, similar to independent claims 6 and 10, the units recited in independent claim 40 are realized in the form of a CPU or the like, which is clearly structural. Accordingly, claim 40 is directed to statutory subject matter. Withdrawal of the above rejection to claim 40 is respectfully requested.

With regard to independent claims 46 and 47, the Applicants have amended the claims to

point out that the programs recited in the claims are “recorded on computer-readable medium,” which causes a computer to perform a method as described in the claims. Accordingly, claims 46 and 47, as amended, are clearly directed to statutory subject matter. Withdrawal of the above rejection to claims 46 and 47 is respectfully requested.

In the Office Action, claims 6-11, 40, and 44-47 have been rejected under 35 U.S.C. 112, first paragraph, for failing to comply with written description requirements under U.S. patent law. Specifically, the Examiner alleges that the claims contain the phrases “a first presentation apparatus” and “a second presentation apparatus,” which are not described in the specification in such a way to allow one of ordinary skill in the art to make and/or use the present invention.

As noted above, Fig. 2 (and the supporting discussion in the Applicants’ disclosure) describes in detail the composition and operation of a presentation apparatus (i.e., printing apparatus 3 in Fig. 2). Additionally, the Applicants’ disclosure clearly describes the use of one or more printing apparatuses (see e.g., pg. 17 in the Applicants’ substitute specification). Accordingly, the Applicants maintain that one of ordinary skill in the art would be able to make and/or use the present invention as described in the Applicants’ disclosure. Accordingly, withdrawal of the above rejection to claims 6-11, 40 and 44-47 is respectfully requested.

In the Office Action, claims 6-11, 40 and 44-47 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Goto et al. (U.S. Publication No. 2001/0011287, hereinafter “Goto”) in view of Young et al. (U.S. Publication No. 2003/0185182, hereinafter “Young”). The Applicants have amended independent claims 6, 9, 10, 40 and 44-47 to help further distinguish the present invention from the cited prior art. For example, claim 6 (as amended) now recites the following features:

“[a] receiving apparatus comprising:

a content receiving unit operable to receive content including presentation data which is one of printing data and displaying data, and presentation control information associated with the presentation data, the presentation control information including presentation specification information describing a presentation specification related to an output by printing or displaying by a first presentation apparatus, and being previously defined in order to guarantee uniqueness of a page layout of the presentation data, and a style sheet describing presentation settings when

the presentation data of the content is printed or displayed;

a presentation control information extraction unit operable to extract the presentation control information from the received content;

a presentation apparatus specification information obtainment unit operable to obtain, from a second presentation apparatus connected to the receiving apparatus, presentation apparatus specification information related to an output by printing or displaying by the second presentation apparatus;

an update judgment unit operable to compare the presentation specification information included in the presentation control information with the obtained presentation apparatus specification information and to judge whether to update the style sheet or not; and

a content output unit operable to output, to the first presentation apparatus, (i) the presentation data which is outputted by printing or displaying based on the presentation specification and the style sheet included in the presentation control information, and (ii) a result of the judgment.”

The features noted above for independent claim 6 are similarly recited in independent claims 9, 10, 40 and 44-47. Specifically, claims 9 and 10 are directed to apparatus, and claim 40 is directed to a system that includes the features noted above in claim 6. Additionally, claims 44 and 45 are directed to methods and claims 46 and 47 are directed programs that perform steps similar to those perform by the apparatus of claim 6.

The present invention, as recited in independent claims 6, 9, 10, 40, and 44-47, is distinguishable over the cited prior art in that the present invention compares a first presentation specification of a first presentation apparatus and a second presentation specification apparatus, and then judges whether a style sheet describing presentation settings of the present data should be updated based on the first presentation specification of the first presentation apparatus. Additionally, the judgment results of whether or not the style sheets should be updated along with the presentation data are outputted.

The first presentation specification is related to an output (printing or displaying) by the first presentation apparatus and the second presentation specification is related to an output (printing or displaying) by the second presentation apparatus connected to a receiving apparatus,

wherein the second presentation specification is indicated by presentation apparatus specification information which is obtained from the second presentation apparatus.

As described above, in the present invention (as recited in independent claims 6, 9, 10, 40 and 44-47), a judgment is made as to whether or not the second presentation apparatus connected to the receiving apparatus can print or display the presentation data by using the style sheet generated based on the presentation specification for the first presentation apparatus, and the obtained judgment results, the style sheet, and the presentation data are outputted to the second presentation apparatus.

Accordingly, the present invention (as recited in independent claims 6, 9, 10, 40 and 44-47) provides the advantageous affect that even when the transmitting side apparatus of the presentation data judges that the second presentation apparatus connected to the transmission side apparatus cannot display or print the presentation data using style sheet generated based the presentation specification of the first presentation apparatus, the second presentation apparatus can update the style sheet and print or display the presentation data by using a style which is not significantly different from the style of the presentation data assumed by the transmitting side apparatus. No such advantages are believed to be disclosed or suggested by the cited prior art.

In the Office Action, the Examiner relies on Goto in view of Young for disclosing or suggesting all the features recited in independent claims 6, 9, 10, 40 and 44-47. However, the Applicants maintain that the cited prior art fails to disclose or suggest all the features noted above in independent claims 6, 9, 10, 40 and 44-47.

Specifically, Goto discloses a style definition supporting apparatus which generates style definition information (corresponding to a style sheet) required for printing or displaying a typed document. However, Goto fails to disclose or suggest transmitting, together with the style definition information, information indicating a specification related to an output by printing or displaying by an apparatus assumed to be the apparatus to print a target document according to the style definition information.

In contrast, the present invention (recited in independent claims 6, 9, 10, 40 and 44-47), indicates that a specification for a printing apparatus assumed to be the apparatus to print a target document. More specifically, the presentation specification indicates printing performance

determined depending on the individual printing apparatuses. Examples of the printing performance include a number of characters printable within a page and a page margin.

Moreover, after a detailed review of Young, the reference fails to overcome the deficiencies noted above in Goto. Young discloses a device manager that holds style information corresponding to a style sheet for each category of mobile devices. Additionally, as described in Young, a server transceiver prints or displays information requested by a mobile device according to the style information (corresponding to style sheet) read from the device manager.

However, as noted above, Young fails to disclose or suggest holding a presentation specification related to the output (printing or displaying) by the mobile devices. Conversely, the present invention (as recited in independent claims 6, 9, 10, 40 and 44-47) includes the use of a presentation specification which indicates printing functions determined depending on individual printing apparatus.

Based on the above discussion, one of ordinary skill in the art would not be motivated to combine the teaching of Goto and Young to arrive at the present invention, as recited in independent claims 6, 9, 10, 40 and 44-47. Additionally, even if the combination was made, the combination of Goto and Young does not appear to disclose or suggest each and every feature recited in independent claims 6, 9, 10, 40 and 44-47. Specifically, the combination of Goto and Young fails to disclose or suggest at least the following features of independent claims 6, 9, 10, 40 and 44-47:

- 1) a presentation specification related to the output (printing or displaying) by first presentation apparatus assumed, by the transmitting side apparatus, to be the apparatus which outputs (printing or displaying) the presentation data; and
- 2) a presentation specification related to the output (printing or displaying) by a second presentation apparatus connected to a receiving apparatus; and
- 3) judging whether or not the second presentation apparatus can output the presentation data according to the style which is approximately the same as the style specified by the transmitted side apparatus of the presentation data.

Accordingly, the combination of Goto and Young cannot provide the advantages noted above by the present invention (recited in independent claims 6, 9, 10, 40 and 44-47),

particularly in the case where the presentation specification indicated in the presentation specification information for a second presentation apparatus connected to a receiving apparatus is different from the presentation specification for the a first presentation apparatus assumed in advance.

Additionally, the combination of Goto and Young cannot provide the advantage of updating a style sheet to a style sheet in conformance with the presentation specification for a second presentation apparatus connected to the receiving apparatus and providing a presentation result similar to the presentation result obtained by the first presentation apparatus assumed in advance.

Based on the above discussion, no combination of Goto and Young would result in, or otherwise render obvious, independent claims 6, 9, 10, 40 and 44-47. Additionally, no combination of Goto and Young would result in, or otherwise render obvious, claims 7, 8 and 11 at least by virtue of their respective dependency from claims 6 and 10.

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the Office Action dated April 3, 2008, and pass this application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

Kouichi TAKAMINE et al.

/Mark D.

By: Pratt/

Digitally signed by /Mark D. Pratt/
DN: cn=/Mark D. Pratt/, o, ou,
email=wlp@wenderoth.com,
c=US
Date: 2008.06.27 14:33:28 -04'00'

Mark D. Pratt
Registration No. 45,794
Attorney for Applicants

MDP/ats
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
June 27, 2008